REMARKS

In response to the above-identified Office Action, Applicant submits the following remarks and seeks reconsideration thereof. In this response, no claims have been amended, no claims have been added, and no claims have been cancelled. Accordingly, claims 1-27 are pending.

I.   Claims Rejected Under 35 U.S.C. § 112

The Examiner has rejected Claims 1-24 under 35 U.S.C. § 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Applicant respectfully traverses this rejection.

The Examiner asserts that "storing a configuration" and "updating a portion of a configuration" found in Claims 1 and 18 and "storage of configuration," "access of a configuration," and "store the configuration" found in Claim 11 is unclear in this context. However, Applicant submits that there is no ambiguity. Specifically, Applicant defines explicitly at page 8 of the existing application, "a configuration is a set of persistent objects referred to herein as configuration objects." The remainder of the paragraph proceeds to give examples of configuration objects. Thus, Applicant submits that each of the allegedly indefinite phrases are in fact definite given the explicit definition of configuration provided by Applicants. Accordingly, it is respectfully requested that the rejection under 35 U.S.C. §112, second paragraph be withdrawn.

II.   Claims Rejected Under 35 U.S.C. §102

The Examiner has rejected Claims 1-6, 10, 11, 17-22, 24 and 25 under 35 U.S.C. §102 as being anticipated by E, U.S. Patent Application Publication No. 2004/0019639 ("E"). Applicant respectfully traverses this rejection.

To anticipate a claim as axiomatic, every element of the claim must be disclosed within a single reference. At a minimum, since E fails to teach or suggest storing of a set of persistent configuration objects for a distributed environment at a central storage of the distributed environment or updating the set of configuration objects in the distributed environment, it cannot anticipate Claim 1 or its dependent claims. With respect to Claim

2, the Examiner has effectively stated interpretation reads the invalidating limitation out of the claim. Merely providing locked access to distributed data does not cause an invalidation of copies that data remaining elsewhere in the system. Thus, $\underline{E}$ fails to teach or suggest at least the additional invalidating element of Claim 2.

With respect to Claim 3, the Examiner cites paragraph 42 for the blocking of reads of the configuration during the updating. However, it is clear from context of paragraph 42, that the access prevented is write access not read access because, "the lock mechanism 220 may arbitrate access to primary data 112 for process 106 and other processes to help prevent concurrent access to the primary data 112 **that may lead to data inconsistencies within the primary data 112**" [emphasis added]. Concurrent read access cannot lead to data inconsistencies. Thus, it is not the sort of access that is being prevented. As such, the cited passage of $\underline{E}$ fails to teach the blocking element of Claim 3.

With respect to Claim 4, the Examiner relies on notification of the local data manager. However, in no context is notification of the local data manager notifying, "nodes in the distributed environment." As an initial matter, the local data manager is a single entity and therefore cannot be "nodes" plural. Moreover, the local data manager is, by its nature, "local" and therefore not distributed relative to the local data. $\underline{E}$ has similar deficiencies with respect to the remaining claims, which depend from Claim 1. Accordingly, at least because these claims are dependent on a patentable independent claim, but also because many of them are independently patently distinct, it is respectfully requested that the rejection of Claims 1-6 and 10 under 35 U.S.C. §102 be withdrawn.

With respect to Claim 11, $\underline{E}$ simply offers no teaching or suggestion of a "plurality of nodes having an instance of a configuration manager" or the maintenance of consistent storage of a configuration across the nodes without passing configuration modifications between the nodes as claimed. Thus, Claim 11 is patentable of E. The Examiner has also failed to identify where in the reference a change event listener to notify by registered components of configuration change events can be found. Thus, Claim 17 is independently patentable. It is respectfully requested that the rejection under 35 U.S.C. §102 of Claims 11 and 17 be withdrawn.

Claim 25 is patentable for analogous reasons to those of Claim 11 and Claims 18-22 and 24 at least for the reasons discussed in connection with Claims 1-6 and 10. Accordingly, it is respectfully requested that the rejection of all claims under 35 U.S.C. §102 be withdrawn.

III. Claims Rejected Under 35 U.S.C. §103

The Examiner has rejected Claims 7, 8, 12-14, 23 and 27 under 35 U.S.C. §103 as being unpatentable over $\underline{E}$ in further view of Vahalia, U.S. Patent Application Publication No. 2005/0251500 ("Vahalia"). Applicant respectfully traverses this rejection.

Applicant has reviewed Vahalia and submits that it fails to cure the deficiencies of $\underline{E}$ in connection with the independent claims above. Thus, even if Vahalia could stand for the propositions for which the Examiner relies, the combination would still fail to teach or suggest all limitations of Applicant's claims. Thus, the Examiner fails to make out a prima facie case of obviousness and the rejection under 35 U.S.C. §103 of Claims 7, 8, 12-14, 23 and 27 should be withdrawn.

The Examiner has rejected Claims 9, 15 and 26 under 35 U.S.C. §103 as being unpatentable under $\underline{E}$ in view of Applicant's admission of prior art. Applicant alleged admitted prior art fails to cure the deficiencies of the primary reference $\underline{E}$ as discussed in connection with the independent claims above. Accordingly, Claims 9, 15 and 26 are nonobvious in view of $\underline{E}$ as modified by Applicant's allegedly admitted prior art. Applicant respectfully requests withdrawal of the rejection of Claims 9, 15, and 26 under 35 U.S.C. §103.

Claim 16 is rejected as being unpatentable over $\underline{E}$ in view of Vahalia in further view of Applicant's admitted prior art. Again, Applicant respectfully submits that the secondary and tertiary references, even if properly combinable fails to cure deficiencies of the primary reference $\underline{E}$. Accordingly, Applicant respectfully requests withdrawal of the rejection of Claims 16 under 35 U.S.C. §103.

CONCLUSION

In view of the foregoing, it is believed that all claims now pending, namely claims 1-27, patentably define the subject invention over the prior art of record, and are in condition for allowance and such action is earnestly solicited at the earliest possible date. If there are any additional fees due in connection with the filing of this response, please charge those fees to our Deposit Account No. 02-2666. Questions regarding this matter should be directed to the undersigned at (310) 207-3800.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR, & ZAFMAN LLP

Dated: March 7, 2007   By: _Thomas Coester_

Thomas M. Coester
Reg. No. 39,637

12400 Wilshire Boulevard
Seventh Floor
Los Angeles, California 90025
(310) 207-3800